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REQUEST FOR CONTINUED EXAMINATION (RCE)

TRANSMITTAL

(INCLUDING FILING FEE AND/OR PETITION FOR EXTENSION OF TIME FEE)

Subsection (b) of 35 U.S.C. §132, effective May 29, 2000
provides for continued examination of a utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

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Technology Center 2100

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| To: | Commissioner for Patents Box RCE PO Box 1450 Alexandria, VA 22313-1450 | Attorney Docket No.:1081.1055 |
|-----|---|-------------------------------|

| | |
|----------------------|-----------------|
| First Named Inventor | Yoshio KITAMURA |
|----------------------|-----------------|

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|-----------------|------------|----------------|------|
| Application No. | 08/932,427 | Group Art Unit | 2188 |
|-----------------|------------|----------------|------|

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|-------------|--------------------|----------|------------|
| Filing Date | September 17, 1997 | Examiner | Portka, G. |
|-------------|--------------------|----------|------------|

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|-----------------|--|-----------------|------|
| CPA Filing Date | | Confirmation No | 5306 |
|-----------------|--|-----------------|------|

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| Title of Invention | RAID APPARATUS AND ACCESS CONTROL METHOD THEREFOR WHICH BALANCES THE USE OF THE DISK UNITS (AS AMENDED) |
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This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

1.

Submission required under 37 C.F.R. §1.114 (Box a or b must be completed)

- a. Previously submitted
 - i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - iii. Other
- b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other

2.

Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. §103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. §1.17(i) required).
- b. Other

| | | BASIC FEE | | | | \$ | 770.00 | |
|---|----------------------------------|------------------------------------|--------------|------|-----------|----|--------|---------|
| Since an Official Action set an <u>original</u> due date of <u>June 30, 2004</u> , petition is hereby made for an extension of time to cover the date this RCE is filed, for which the requisite fee is enclosed (1 month (\$110); 2 months (\$420); 3 months (\$950); 4 months (\$1,480); 5 months (\$2,010)): | | | | | | | | 950.00 |
| Claims As Amended | Claims Remaining After Amendment | Highest Number Previously Paid For | Number Extra | Rate | | | | |
| Total Claims | 10 | 20 | - 20 = | 0 | X \$18.00 | = | | \$ 0.00 |
| Independent Claims | 7 | 7 | - 3 = | 0 | X \$86.00 | = | | \$ 0.00 |
| Suspension Fee (\$130.00) | | | | | | | | |
| Total of above Calculations = | | | | | | | \$ | 1720.00 |
| Reduction by 50% for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28). | | | | | | | | |
| TOTAL FEES DUE = | | | | | | | \$ | 1720.00 |

4. Small entity status:
 a. Verified Statement Claiming Small Entity Status.
 b. A Verified Statement Claiming Small Entity Status was previously filed and such status is still proper and desired.
 c. is no longer claimed.
5. Other:

6. METHOD OF PAYMENT

- A check in the amount of \$ 1720.00 is enclosed.
 Charge "TOTAL FEES DUE" to Deposit Account No. 19-3935. (A duplicate copy of this form is enclosed.)

7. GENERAL AUTHORIZATION

- The Commissioner is hereby authorized to credit any overpayment or charge any additional fees under 37 C.F.R. 1.16 (filing fees) or 37 C.F.R. 1.17 (processing fees) during the prosecution of this application and of any related application(s) claiming benefit hereof pursuant to 35 U.S.C. §120 to maintain pendency hereof and of any such related application to:
Deposit Account No. 19-3935.

8. CORRESPONDENCE ADDRESS

STAAS & HALSEY LLP



21171

PATENT TRADEMARK OFFICE

9. SIGNATURE OF ATTORNEY OR AGENT REQUIRED

| | | | |
|-----------|-------------------|------------------|----------------|
| NAME | Gene M. Garner II | REGISTRATION NO. | 34,172 |
| SIGNATURE | | DATE | Sept. 30, 2004 |